

REMARKS

Summary of the Office Action.

Claims 1-34, 36-49, 57, and 63-78 are pending in this application.

These claims have been rejected under 35 U.S.C. 103(a) as being obvious from Bertagna et al. U. S patent No. 5,057,677 ("Bertagna") in view of one or more U.S. Patents: claims 1, 2, 10, 13, 14, 16-18, 31, 33, 39, 43, 44, 47, 48, 57, 64-69, 72, 73, 75, and 76 in view of Sherman et al. U.S. Patent No. 6,189,788 ("Sherman"); claims 3, 5 and 38 in view of Sherman, and further in view of Miller U.S. Patent No. 5,202,825 ("Miller"); claims 6 and 40 in view of Sherman, and further in view of Swartz et al. U.S. Patent No. 5,594,228 ("Swartz"); claims 7, 8, 11, 12, 20, 21, 23, 24, 28, 29, 32, 34, 36, 41, 42, 68, 70 and 77 in view of Sherman, and further in view of Modiano et al. U.S. Patent No. 5,670,768 ("Modiano"); claims 9 and 46 in view of Sherman, and further in view of Postrel et al. U.S. Patent No. 6,003,008 ("Postrel"); claims 15, 37 and 71 in view of Sherman, and further in view of Ju U.S. Patent No. 5,811,774 ("Ju"); claims 19, 49 and 78 in view of Sherman, and further in view of Talati et al. U.S. Patent No. 5,903,878 ("Talati"); claim 22 in view of Sherman and Modiano, and further in view of Ju; claim 25 in view of Sherman and Modiano, and further in view of Miller and Swartz; claim 26 in view of Sherman, and Modiano, and further in view of Bernard et al. U.S. Patent No. 5,918,213 (Bernard"); claim 27 in view of Sherman, and Modiano, and further in view of Postrel; claim 30 in view of Sherman and Modiano, and further in view of Talati; claims 45 and 74 in view of Sherman, and further in view of Bernard; claim 63 in view of Sherman, and further in view of Saliga U.S. Patent No. 5,397,884 ("Saliga").

The Examiner has responded to applicants' arguments filed September 24, 2003, but finds them unpersuasive.

The Examiner also has kindly noted an informality in claim 1.

Applicants' Reply

Applicants have amended claim 1 to correct the informality, which was kindly noted by the Examiner. Applicant have also amended claim 63 for clarity.

Applicants respectfully traverse the prior art rejections.

Claims 1-34, 36-39, 57 and 65

Claims 1-34, 36-39, 57 and 65 are directed toward applicants' inventive tendering service stations or systems that include, for example, movable housing/stations and detachable terminals.

Independent claims 1, 20, 31, 57 and 65

Independent claims 1, 20, 31, 57 and 65 were rejected as being obvious from Bertagna in view of Sherman. Independent claim 20 was rejected as being obvious from Bertagna modified by Sherman, further in view of Modiano.

Applicants respectfully resubmit arguments (filed September 24, 2003) that the cited references Bertagna, Sherman, and Modiano, whether taken individually or in combination, do not show all the elements of the applicants' tendering service stations or systems. For example, the cited references do not show a tendering or service station in which magnetic stripe card information read by a reader and responses to the card information are "transmitted over a wireless communication network."

Applicants are puzzled by Examiner's rejection of these claims now by reference to optical infrared link (IR link 76) described in Bertagna. (12/16/03 Office Action, section 20). Applicants note Bertagna's IR link 76 connects CCU housing 18 and a PTMU only when the two are in fixed geometrical position. For example, "the PTMU removed from the CCU is first latched to a selected inventory cart to provide communications between memory in the cart and memory in the PTMU. To unlock the security doors on the inventory cart, the processor in the cart may only require a data input from the PTMU through the IR interface 76." (See e.g.,

Bertagna col. 13, lines 20-30). Applicants respectfully submit that optical links operable in fixed geometries are not the same as "wireless communications". The terms "wireless communications" or "wireless communication networks" are commonly understood to refer to radio frequency or microwave communications (e.g., in cell phones), which unlike optical or infrared links do not require the communicating components to be in fixed or latched geometry but can be portable. In this context, the instant specification describes the use of wireless radios and wireless radios communication networks, for example, "such as the Spectrum 24™ wireless radio sold by Symbol Technologies, Inc." (Specification, pages 9-10, paragraph 1).

Further, Bertagna's fixed geometry IR link provides communication between the latched PTMU and the cart (or tendering station) and not between a tendering station and an "external central computer" as required in applicants' invention.

The Examiner has previously correctly noted that Bertagna "fails to particularly teach or fairly suggest that the portable transaction unit is communicating with an external central computer wirelessly." (06/10/2003 Office Action, Section 4, last complete sentence at the bottom of page 3).

Accordingly, applicants respectfully request that the rejection of independent claims 1, 20, 31, 57 and 65 (and their dependent claims) be withdrawn.

#### Claims 63

Claim 63 relates to method for controlling functions available to terminal users in a system in which a host processor communicates with a plurality of mobile terminals by radio. The elements of the claimed method include, inter alia, issuing a mobile terminal to a user, receiving user identification data on the terminal, and communicating the identification data to the host processor, using the host processor to hierarchically determine authorized functions to be made available to the user, communicating a message to the terminal identifying available authorized functions, and operating said host processor to provide user selected ones of said authorized functions to the terminal.

Applicants respectfully resubmit arguments (filed September 24, 2003) that the cited references Bertagna, Sherman, and Saliga, whether taken individually or in combination, do not show, teach or suggest all the elements of the claim 63. The Examiner notes that applicants have argued that "Saliga does not show receiving the key/terminal user identification on the key/terminal," but somehow finds that a broad reading of claim 63 reads on Saliga. (12/16/2003 Office Action, pages 17-18, Section 20, last paragraph). Applicant respectfully disagrees. Claim 63 clearly relates to a method for controlling functions available to users of "mobile terminals" in response to specific identification data entered on the mobile terminals. The only mobile component in Saliga are the "room keys" issued to hotel guests. The functions available to the hotel guests are predetermined by Saliga's "fixed" host computer/controller (32) and not by the users of "mobile" room keys" (i.e. hotel guests). Access to the "fixed" host computer/controller (32) is controlled by Saliga's scheme of desk clerk/hotel manager passwords. There is no suggestion in Saliga that the "mobile" room keys have any means for data input by the "mobile" room key users (i.e., hotel guests) as required by claim 63. Thus, Saliga and claim 63 do not intersect.

Applicants therefore respectfully request that the rejection of claim 63 be withdrawn.

#### Claim 64

Claim 64 was rejected as being obvious from Bertagna in view of Sherman. Claim 64 relates to method of servicing customers in a retail establishment having a wireless data communications network and a portable terminal connected to a tendering station for completing customer transactions. The elements of the method of servicing a customer include, inter alia, operating the portable terminal while it is detached from the tendering station. The detached terminal is operated to provide the customer with information that is received over the wireless network from a central computer.

Applicants respectfully resubmit arguments (filed September 24, 2003) that the cited references Bertagna, Sherman, and Saliga, whether taken individually or in combination, do not show, teach or suggest all the elements of the claim 64. Further, as presented above under the subsection heading Independent claims 1, 20, 31, 57 and 65, Bertagna's teaching of IR links does not teach or suggest wireless communications with a central computer.

Applicants therefore respectfully request that the rejection of claim 64 be withdrawn.

Conclusion

The foregoing demonstrates that claims 1-34, 36-39, 57, and 64-78 are in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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